

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

KAMBIS ANVAR  
and MICHELLE DRUM,  
*Plaintiffs*

v.

C.A. No. 1:19-cv-00523

ELIZABETH TANNER, Director of the  
Department of Business Regulation, and  
PETER NERONHA, Attorney General  
of Rhode Island,  
*Defendants*

RHODE ISLAND RESPONSIBLE BEVERAGE  
ALCOHOL COALITION, Inc.,  
*Intervening Defendant*

**AMENDED MOTION FOR LEAVE TO FILE AS AMICUS IN FAVOR OF  
DEFENDANTS**

Now comes the Rhode Island Liquor Operators Collaborative (“the Collaborative”) and hereby requests leave of this Court to file an amicus brief in support of the Defendants’ Motion for Summary Judgment. The Collaborative has previously been given leave to file an amicus in this case. This motion is solely to update the due date for the amicus, in line with the most recent amended scheduling Order.

The Collaborative is organized as a 501(c)(6) non-profit organization, and its donors make up approximately 50% of the alcoholic beverage retailers in the State of Rhode Island. The Collaborative believes that an amicus from their perspective would be helpful to the Court, and would not be duplicative of any other brief, including the initial amicus. Indeed, the First Circuit requested “concrete evidence” of enforcement. In the three-tier system, manufacturers and wholesalers are regulated by the State. The third tier, retailers-or Class A license holders—are

regulated by municipalities. This most important level of traffic in alcoholic beverages must be considered in determining the purpose and effect of state AND municipal regulation. The Plaintiffs ignore the retailers and municipalities, but this is where the regulations are the strongest and the enforcement most common.

For these reasons, the R.I. Liquor Collaborative respectfully requests that it be allowed to file an amicus brief on October 7, 2024. The Collaborative will make every effort to avoid repetition of the matters contained in its first amicus.

United Independent Liquor Retailers,

/s/ Marc DeSisto

Marc DeSisto, Esq. (#2757)

/s/ Rebecca Tedford Partington

Rebecca Tedford Partington, Esq. (#3890)

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#### CERTIFICATION OF SERVICE

I hereby certify that the within document has been electronically filed with the Court on this 7<sup>th</sup> day of May 2024 and is available for viewing and downloading from the ECF system.

Service on the counsel of record, as listed below, will be effectuated by electronic means:

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/s/ Marc DeSisto